

**FIRST AMENDMENT TO THE AGENCY AGREEMENT FOR COUNTYWIDE
HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM**

This is the First Amendment to the "Agency Agreement for Countywide Household Hazardous Waste Collection Program," (AGREEMENT) by and between the participating jurisdiction (CITY/TOWN) and the County of Santa Clara, (COUNTY), which was effective on July 1, 2003.

The COUNTY and the CITY agree that:

Section 17. ADDITIONAL SERVICES UNDER THIS AGREEMENT is amended in full as set forth in **Exhibit A**, attached hereto and incorporated by reference herein.

The following attachment of said AGREEMENT is amended in full as shown in the attachment hereto and incorporated by reference herein.

Attachment C. HHW Schedule for Fiscal Year 2004/2005

Except as amended herein, all terms and conditions of said AGREEMENT shall remain in full force and effect.

The effective date of this Amendment is July 1, 2004.

IN WITNESS WHEREOF, COUNTY and CITY, through their duly authorized representatives, have entered into this First Amendment to the AGREEMENT on the date shown below:

COUNTY OF SANTA CLARA

Signature:

Ben Gale

Ben Gale
Director of Department of Environmental
Health

Date: 6/28/04

CITY/TOWN OF Milpitas

Signature:

Thomas J. Wilson

Name: Thomas Wilson

Title: City Mgr

Date: 5-20-04

APPROVED AS TO FORM AND LEGALITY

Kathy Kretchmer

Kathy Kretchmer
Deputy County Counsel

Date: 4/27/04

approved as to Form
Steven Malt
city attorney

EXHIBIT A

17. ADDITIONAL SERVICES UNDER THIS AGREEMENT

CITY may elect to augment funding provided for in this Agreement with CITY funds. Additional services shall be made available upon written agreement between the CITY's authorized representative and the Director of the Department of Environmental Health. Additional services may include, but are not limited to, additional appointments (charged at the variable cost per car rate), Door-to-Door HHW Collection and Used Oil Filter Collection.

CITY agrees to augment up to an additional \$ 0.00 to the Countywide HHW Program during Fiscal Year 2005 for the purpose of increased resident participation above the 3% service level. Augmentation will be calculated at the variable cost per car rate which is estimated at \$60.00 per car. Fiscal Year 2006 funding augmentations shall be agreed upon in writing by the Director of the Department of Environmental Health and the designated CITY representative. Other services will be charged on a cost recovery basis.

If the CITY elects to augment funding, the COUNTY will bill CITY at the end of each fiscal quarter for additional resident participation above the 3% service level. Payment is due within 30 days of the invoice date. At the end of each fiscal year, a final annual cost statement shall be prepared by the COUNTY and issued to the CITY. The annual cost statement will take into consideration costs incurred on behalf of the CITY for additional services and all payments made by the CITY to the COUNTY. If any balance is owed to the COUNTY, it will be due within 30 days following receipt of the annual cost statement. If any credit is owed to the CITY, COUNTY will refund that amount to the CITY within 30 days of the annual cost statement.

HHW SCHEDULE FOR FISCAL YEAR 2004/2005

2004/Month	Day	Date	Location	Type of Event	County Holidays/ Notes
July	Friday	2	NO EVENT	NO EVENT	FOURTH OF JULY
	Saturday	3	NO EVENT	NO EVENT	FOURTH OF JULY
	Friday	9	SAN JOSE	PERMANENT	
	Saturday	10	SAN JOSE	PERMANENT	
	Saturday	17	SUNNYVALE	PERMANENT	
	Friday	23	SAN JOSE	PERMANENT	
	Saturday	24	SAN JOSE	PERMANENT	
	Friday	31	NO EVENT	NO EVENT	
August	Saturday	1	NO EVENT	NO EVENT	
	Friday	6	SAN MARTIN	PERMANENT	
	Saturday	7	SAN MARTIN	PERMANENT	
	Friday	13	SAN JOSE	PERMANENT	
	Saturday	14	SAN JOSE	PERMANENT	
	Saturday	21	SUNNYVALE	PERMANENT	
	Saturday	28	CUPERTINO	TEMPORARY	
September	Friday	3	NO EVENT	NO EVENT	LABOR DAY
	Saturday	4	NO EVENT	NO EVENT	
	Friday	10	SAN JOSE	PERMANENT	
	Saturday	11	SAN JOSE	PERMANENT	
	Saturday	18	SUNNYVALE	PERMANENT	
	Saturday	25	SANTA CLARA	TEMPORARY	
October	Friday	1	SAN MARTIN	PERMANENT	
	Saturday	2	SAN MARTIN	PERMANENT	
	Friday	8	SAN JOSE	PERMANENT	
	Saturday	9	SAN JOSE	PERMANENT	
	Saturday	16	SUNNYVALE	PERMANENT	
	Saturday	23	WEST VALLEY	TEMPORARY	
	Friday	29	SAN JOSE	PERMANENT	
November	Saturday	30	SAN JOSE	PERMANENT	
	Friday	5	SAN MARTIN	PERMANENT	
	Saturday	6	SAN MARTIN	PERMANENT	
	Friday	12	SAN JOSE	PERMANENT	
	Saturday	13	SAN JOSE	PERMANENT	
	Saturday	20	SUNNYVALE	PERMANENT	
December	Saturday	27	NO EVENT	NO EVENT	25 & 26 THANKSGIVING
	Friday	3	SAN MARTIN	PERMANENT	
	Saturday	4	SAN MARTIN	PERMANENT	
	Friday	10	SAN JOSE	PERMANENT	
	Saturday	11	SAN JOSE	PERMANENT	
	Saturday	18	NO EVENT	NO EVENT	
	Saturday	25	NO EVENT	NO EVENT	DEC 25 CHRISTMAS
2005/Jan	Friday	31	NO EVENT	NO EVENT	
	Saturday	1	NO EVENT	NO EVENT	JAN 1 NEW YEARS
	Friday	7	SAN JOSE	PERMANENT	
	Saturday	8	SAN JOSE	PERMANENT	
	Saturday	15	SUNNYVALE	PERMANENT	
	Friday	21	SAN JOSE	PERMANENT	
	Saturday	22	SAN JOSE	PERMANENT	
	Friday	28	NO EVENT	NO EVENT	
	Saturday	29	NO EVENT	NO EVENT	

HHW SCHEDULE FOR FISCAL YEAR 2004/2005-continued

2004/Month	Day	Date	Location	Type of Event	County Holidays/ Notes
February	Friday	4	SAN MARTIN	PERMANENT	
	Saturday	5	SAN MARTIN	PERMANENT	
	Friday	11	SAN JOSE	PERMANENT	
	Saturday	12	SAN JOSE	PERMANENT	
	Saturday	19	SUNNYVALE	PERMANENT	
	Friday	25	SAN JOSE	PERMANENT	
March	Saturday	26	SAN JOSE	PERMANENT	
	Friday	4	SAN MARTIN	PERMANENT	
	Saturday	5	SAN MARTIN	PERMANENT	
	Friday	11	SAN JOSE	PERMANENT	
	Saturday	12	SAN JOSE	PERMANENT	
	Saturday	19	SUNNYVALE	PERMANENT	MOUNTAIN VIEW
April	Saturday	26	NO EVENT	NO EVENT	
	Friday	1	SAN MARTIN	PERMANENT	
	Saturday	2	SAN MARTIN	PERMANENT	
	Friday	8	SAN JOSE	PERMANENT	
	Saturday	9	SAN JOSE	PERMANENT	
	Saturday	16	SUNNYVALE	PERMANENT	
May	Saturday	23	SANTA CLARA	TEMPORARY	
	Saturday	30	LOS ALTOS	TEMPORARY	
	Friday	6	SAN MARTIN	PERMANENT	
	Saturday	7	SAN MARTIN	PERMANENT	
	Friday	13	SAN JOSE	PERMANENT	
	Saturday	14	SAN JOSE	PERMANENT	
June	Saturday	21	SUNNYVALE	PERMANENT	
	Saturday	28	NO EVENT	NO EVENT	MAY 30 MEMORIAL DAY
	Friday	6	SAN MARTIN	PERMANENT	
	Saturday	7	SAN MARTIN	PERMANENT	
	Friday	13	SAN JOSE	PERMANENT	
	Saturday	14	SAN JOSE	PERMANENT	
	Saturday	21	SUNNYVALE	PERMANENT	
	Saturday	28	MILPITAS	TEMPORARY	

*SUBJECT TO CHANGE

**SECOND AMENDMENT TO THE AGENCY AGREEMENT FOR COUNTYWIDE
HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM**

This is the Second Amendment to the "Agency Agreement for Countywide Household Hazardous Waste Collection Program," (AGREEMENT) by and between the City of Milpitas (CITY) and the County of Santa Clara, (COUNTY), which was effective on July 1, 2003 and previously amended effective July 1, 2004.

The COUNTY and the CITY agree that:

1. Section 17. ADDITIONAL SERVICES UNDER THIS AGREEMENT is amended in full as set forth in **Exhibit A**, attached hereto and incorporated by reference herein.
2. The following attachment of said AGREEMENT is amended in full as shown in the attachment hereto and incorporated by reference herein.

Attachment C. HHW Schedule for Fiscal Year 2005/2006

Except as amended herein, all terms and conditions of said AGREEMENT shall remain in full force and effect.

The effective date of this Amendment is July 1, 2005.

IN WITNESS WHEREOF, COUNTY and CITY, through their duly authorized representatives, have entered into this Second Amendment to the AGREEMENT on the date shown below:

COUNTY OF SANTA CLARA

CITY OF MILPITAS

Signature:

Signature:

Ben Gale
Director of Department of Environmental
Health

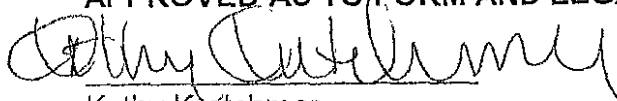
Name: _____

Title: _____

Date: _____

Date: _____

APPROVED AS TO FORM AND LEGALITY



Kathy Kretchmer
Deputy County Counsel

Date: 3-15-05

EXHIBIT A

17. ADDITIONAL SERVICES UNDER THIS AGREEMENT

CITY may elect to augment funding provided for in this Agreement with CITY funds. Additional services shall be made available upon written agreement between the CITY's authorized representative and the Director of the Department of Environmental Health. Additional services may include, but are not limited to, additional appointments (charged at the variable cost per car rate), Door-to-Door HHW Collection and Used Oil Filter Collection.

CITY agrees to augment up to an additional \$ _____ to the Countywide HHW Program during Fiscal Year 2006 for the purpose of increased resident participation above the 3% service level. Augmentation will be calculated at the variable cost per car rate which is estimated at \$60.00 per car. Fiscal Year 2007 funding augmentations shall be agreed upon in writing by the Director of the Department of Environmental Health and the designated CITY representative. Other services will be charged on a cost recovery basis.

If the CITY elects to augment funding, the COUNTY will bill CITY at the end of each fiscal quarter for additional resident participation above the 3% service level. Payment is due within 30 days of the invoice date. At the end of each fiscal year, a final annual cost statement shall be prepared by the COUNTY and issued to the CITY. The annual cost statement will take into consideration costs incurred on behalf of the CITY for additional services and all payments made by the CITY to the COUNTY. If any balance is owed to the COUNTY, it will be due within 30 days following receipt of the annual cost statement. If any credit is owed to the CITY, COUNTY will refund that amount to the CITY within 30 days of the annual cost statement.

Attachment C

HHW SCHEDULE FOR FISCAL YEAR 2005/2006

2005/Month	Day	Date	Location	Type of Event	County Holidays/ Notes
July	Saturday	2	NO EVENT	NO EVENT	FOURTH OF JULY
	Friday	8	SAN JOSE	PERMANENT	
	Saturday	9	SAN JOSE	PERMANENT	
	Saturday	16	SUNNYVALE	PERMANENT	
	Saturday	23	NO EVENT	NO EVENT	
	Friday	29	SAN JOSE	PERMANENT	
	Saturday	30	SAN JOSE	PERMANENT	
August	Friday	5	SAN MARTIN	PERMANENT	
	Saturday	6	SAN MARTIN	PERMANENT	
	Friday	12	SAN JOSE	PERMANENT	
	Saturday	13	SAN JOSE	PERMANENT	
	Saturday	20	SUNNYVALE	PERMANENT	
	Saturday	27	CUPERTINO	TEMPORARY	
September	Saturday	3	NO EVENT	NO EVENT	SEPT 5/LABOR DAY
	Friday	9	SAN JOSE	PERMANENT	
	Saturday	10	SAN JOSE	PERMANENT	
	Saturday	17	SUNNYVALE	PERMANENT	
	Saturday	24	SANTA CLARA	TEMPORARY	
October	Friday	30	SAN MARTIN	PERMANENT	
	Saturday	1	SAN MARTIN	PERMANENT	
	Friday	7	SAN JOSE	PERMANENT	
	Saturday	8	SAN JOSE	PERMANENT	
	Saturday	15	SUNNYVALE	PERMANENT	
	Saturday	22	WEST VALLEY	TEMPORARY	
	Friday	28	SAN JOSE	PERMANENT	
November	Saturday	29	SAN JOSE	PERMANENT	
	Friday	4	SAN JOSE	PERMANENT	
	Saturday	5	SAN JOSE	PERMANENT	
	Saturday	12	NO EVENT	NO EVENT	NOV 11/VETERANS DAY
	Saturday	19	SUNNYVALE	PERMANENT	
December	Saturday	26	NO EVENT	NO EVENT	24 & 25/THANKSGIVING
	Friday	2	SAN MARTIN	PERMANENT	
	Saturday	3	SAN MARTIN	PERMANENT	
	Friday	9	SAN JOSE	PERMANENT	
	Saturday	10	SAN JOSE	PERMANENT	
	Friday	16	SAN JOSE	PERMANENT	
	Saturday	17	SAN JOSE	PERMANENT	
	Saturday	24	NO EVENT	NO EVENT	DEC 25/CHRISTMAS
	Saturday	31	NO EVENT	NO EVENT	JAN 1/NEW YEARS
2006/Jan	Friday	6	SAN MARTIN	PERMANENT	
	Saturday	7	SAN MARTIN	PERMANENT	
	Friday	13	SAN JOSE	PERMANENT	
	Saturday	14	SAN JOSE	PERMANENT	
	Saturday	21	SUNNYVALE	PERMANENT	
	Saturday	28	NO EVENT	NO EVENT	

HHW SCHEDULE FOR FISCAL YEAR 2005/2006-continued

2006/Month	Day	Date	Location	Type of Event	County Holidays/ Notes
February	Friday	3	SAN MARTIN	PERMANENT	
	Saturday	4	SAN MARTIN	PERMANENT	
	Friday	10	SAN JOSE	PERMANENT	
	Saturday	11	SAN JOSE	PERMANENT	
	Saturday	18	SUNNYVALE	PERMANENT	
	Friday	24	SAN JOSE	PERMANENT	
	Saturday	25	SAN JOSE	PERMANENT	
March	Friday	3	SAN MARTIN	PERMANENT	
	Saturday	4	SAN MARTIN	PERMANENT	
	Friday	10	SAN JOSE	PERMANENT	
	Saturday	11	SAN JOSE	PERMANENT	
	Saturday	18	SUNNYVALE	PERMANENT	MOUNTAIN VIEW
	Friday	24	SAN JOSE	PERMANENT	
	Saturday	25	SAN JOSE	PERMANENT	
April	Friday	31	SAN MARTIN	PERMANENT	
	Saturday	1	SAN MARTIN	PERMANENT	
	Friday	7	SAN JOSE	PERMANENT	
	Saturday	8	SAN JOSE	PERMANENT	
	Saturday	15	SUNNYVALE	PERMANENT	
	Saturday	22	SANTA CLARA	TEMPORARY	
	Saturday	29	LOS ALTOS	TEMPORARY	
May	Friday	5	SAN MARTIN	PERMANENT	
	Saturday	6	SAN MARTIN	PERMANENT	
	Friday	12	SAN JOSE	PERMANENT	
	Saturday	13	SAN JOSE	PERMANENT	
	Saturday	20	SUNNYVALE	PERMANENT	
	Saturday	27	NO EVENT	NO EVENT	MAY 29/MEMORIAL DAY
June	Friday	2	SAN MARTIN	PERMANENT	
	Saturday	3	SAN MARTIN	PERMANENT	
	Friday	9	SAN JOSE	PERMANENT	
	Saturday	10	SAN JOSE	PERMANENT	
	Saturday	17	SUNNYVALE	PERMANENT	
	Saturday	24	MILPITAS	TEMPORARY	

*SUBJECT TO CHANGE

3/3/2005